

U.S. Patent Application Serial No. **09/934,655**
Amendment filed August 16, 2004
Reply to OA dated **May 19, 2004**

REMARKS

Claims 1-4 and 6-15 are currently pending in this application. In the proposed amendment, claims 3, 4, 10-13, 17, 19, 21, 23 and 25 are canceled without prejudice or disclaimer, claims 1, 2, 6, 8 and 24 are amended, and claims 26-29 are newly added. Upon entry of the amendments, claims 1, 2, 6-9, 14-16, 18, 22, 24 and 26-29 will be pending in this application. Applicant respectfully submits that no new matter has been added. It is believed that this Amendment is fully responsive to the Office Action dated **May 19, 2004**.

Regarding the proposed amendments:

Claims 1 and 2 are amended to correct typographical errors. In claim 1, a misplaced comma is deleted. In claim 2, an upper case letter is corrected to be lower case.

The amendments to claims 6 and 7 are discussed below in regard to the rejection under 35 U.S.C. 112, second paragraph.

Claim 24, which has been indicated as allowed, is amended to add additional product-by-process steps, after which the claimed product is obtained. The recitation is supported by claim 6 and by the description in the specification on page 10, line 15, to page 11, line 3.

Proposed new claims 26-29 are discussed below.

Regarding the election requirement. (Office action paragraph no. 2)

In the proposed amendments, withdrawn claims 3, 4, 10-13, 19, 21, 23 and 25 are canceled without prejudice or disclaimer.

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Claims 1-2 and 9-6 [sic] are generic and allowable. (Office action paragraph no. 3)

Applicant understands this as indication that claims 1-2, 9, and 14-16 are allowable.

Claim 17 is rejected under 35 U.S.C. §102(b) as being anticipated by Sokolov et al.
(translated abstract of Latvijas PSR Zinatnu Akademijas Vestis, (6), 667-72, 1964). (Office
action paragraph no. 1 on pages 3- 4)

Claim 17 is canceled without prejudice or disclaimer.

Claim 17 is rejected under 35 U.S.C. §102(b) as being anticipated by Orth (DE 906514).
(Office action paragraph no. 2 on page 4)

Claim 17 is canceled without prejudice or disclaimer.

**Claims 6 and 8 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite
for failing to distinctly claim the subject matter which the applicant regards as his invention.**
(Office action paragraphs no. 4-6 on pages 4-5)

Reconsideration of the rejections is respectfully requested in view of the amendments to
claims 6 and 8.

The Examiner states that the use of a broad range or limitation followed by a narrow range
or limitation in the same claim renders the claim indefinite. The Examiner refers to the use of “such

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as” language in *Ex parte Wu*. Applicant respectfully disagrees with the Examiner in this regard. Claim 6 was rewritten in independent form using the verbatim language of the base claim, in order to avoid errors in presentation. The further narrowing of the claim to a temperature of 15 °C to 60 °C is a definite limitation, and is not qualified by any indefinite language (e.g., “such as”). However, an amendment has been proposed to claim 6 for clarity, in which only the temperature range of 15 °C to 60 °C is recited.

In regard to claim 8, the Examiner indicates that the term “good” is not defined in “good solvent.” The rejection is overcome by the proposed amendment to claim 8. In the proposed amendment, claim 8 is amended to recite the specific solvents listed on page 11 of the specification.

Regarding new claims 26-29.

Entry and allowance of new claims 26-29 is respectfully requested. New claims 26-29 depend from claim 6. Claim 6 was rejected only under 35 U.S.C. 112, second paragraph, and the rejection of claim 6 has been overcome as discussed above.

Support for the product-by-process limitations in new claims 26-29 may be found in the process limitations of canceled claims 10-13.

In view of the aforementioned amendments and accompanying remarks, claims, as amended, are in condition for allowance, which action, at an early date, is requested.

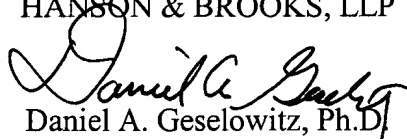
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If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact Applicants undersigned agent at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

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